APPENDIX

MAY 2 1974

MICHAEL RODAK, JR., CLE

IN THE

Supreme Court of the United States

OCTOBER TERM, 1973

No. 73-1283

PAULA POE, RITA ROE, NANCY COE, PATRICIA NOE, PAMELA HARRIS, DR. LYNN P. CARMICHAEL, and all others similarly situated, *Appellants*,

v.

RICHARD E. GERSTEIN, WILSON T. SOWDER, ROBERT L. SHEVIN, their agents, those acting in concert with them, and all others similarly situated, *Appellees*.

On Appeal from the United States District Court for the Southern District of Florida

JUDGMENT OF DISTRICT COURT

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APPELLANTS RESPECTFULLY SUBMIT and append hereto a true copy of the final judgment of the three-judge district court "entered nunc pro tunc, effective October 29, 1973, the date the motion for rehearing was denied." *Final Judgment*, ¶ 6.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 72-1842-CIV-JE

Final Judgment

NANCY COE, PATRICIA NOE, *et al., Plaintiff*

v.

RICHARD E. GERSTEIN, *etc., et al., Defendants.*

A decision having been duly rendered in this case in the opinion of August 13, 1973, as amended August 22, 1973, it is ORDERED and ADJUDGED, that:

1. The "spousal or parental consent" requirements of Fla. Stat. Ann. § 458.22(3) (1972) are unconstitutional.

2. The "approved facility requirement" of Fla. Stat. Ann. § 458.22(2) (1972) is unconstitutional.

3. Section 10D-0.05 of Chapter 10D-65 (1972) Rules on Termination of Pregnancy, Division of Health which prohibits public advertisement of medical facilities available for abortion is unconstitutional.

4. The motions of Plaintiffs Paula Poe, Rita Roe, Nancy Coe, Patricia Noe, Pamela Harris, and Dr. Lyon P. Carmichael for permanent and preliminary injunctions, and temporary restraining order are denied.

5. The motions of Plaintiffs Nancy Coe, Patricia Noe, and Dr. Lynn P. Carmichael for declaratory judgment are granted.

6. This Judgment is entered nunc pro tunc, effective October 29, 1973, the date the motion for rehearing was denied.

DONE and ORDERED at Miami, in the Southern District of Florida this 4th day of March, 1974.

/s/ DAVID W. DYER
United States Circuit Judge

/s/ W. O. MEHRTENS
United States District Judge

/s/ JOE EATON
United States District Judge